

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JUANITA BUTHIA,

Plaintiff,

v.

COMMISSIONER OF SOCIAL SECURITY,

Defendants.

Case Number 19-12588

Honorable David M. Lawson

Magistrate Judge Elizabeth A. Stafford

**ORDER ADOPTING REPORT AND RECOMMENDATION AND
DISMISSING THE COMPLAINT WITHOUT PREJUDICE**

Presently before the Court is the report issued on August 5, 2020 by Magistrate Judge Elizabeth A. Stafford pursuant to 28 U.S.C. § 636(b), recommending that the Court grant the defendant's motion for summary judgment, deny the plaintiff's motion for summary judgment, and dismiss the complaint with prejudice. Although the magistrate judge's report stated that the parties to this action may object to and seek review of the recommendation within fourteen days of service of the report, no objections have been filed. The parties' failure to file objections to the report and recommendation waives any further right to appeal. *Smith v. Detroit Fed'n of Teachers Local 231*, 829 F.2d 1370, 1373 (6th Cir. 1987). Likewise, the failure to object to the magistrate judge's report releases the Court from its duty to independently review the matter. *Thomas v. Arn*, 474 U.S. 140, 149 (1985). However, the Court agrees with the findings and conclusions of the magistrate judge

Accordingly, it is **ORDERED** that the report and recommendation (ECF No. 23) is **ADOPTED**, the defendant's motion for summary judgment (ECF No. 22) is **GRANTED**, the plaintiff's motion for summary judgment (ECF No. 19) is **DENIED**, and the complaint is **DISMISSED WITH PREJUDICE**.

s/David M. Lawson
DAVID M. LAWSON
United States District Judge

Dated: September 9, 2020